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U.S. DISTRICT COURT

SPRINGFIELD, MA

August 26, 2004

Ariane Vuono, Esq.  
Assistant United States Attorney  
United States District Court  
1550 Main Street  
Springfield, MA. 01103

RE: United States v. Michael Crooker

Dear Attorney Vuono:

On July 26, 2004 I received the discovery responses from Assistant United States Attorney, Kevin O'Regan to my request to be provided with automatic discovery pursuant to local rule 116.1. The letter response I received indicated the government was in possession of the recorded statements of my client, paragraph 1, part b and the government was declining to provide them in discovery at this time. I was not provided with a specific description of the manner in which the statements were recorded pursuant to rule 116.1(c)(1)(9),(c)(i),(ii)(d)(i)(ii). Mr. O'Regan's letter simply declines to provide these statements without complying with the declination procedures required by local rule 116.6 specifically paragraph(A). Insofar that Mr. O'Regan's letter does not provide defendant with a factual basis for the declination or the legal grounds therefore, I intend to challenge the government's decision to decline discovery and ask you to provide me with the information required by local rule 116.6 in order that I may file a motion to compel discovery of these materials in compliance with the local rules.

When last we spoke I asked to be provided with reports of any scientific evaluations

conducted by the government in this case together with a request to be provided with expert witness materials pursuant to Federal Rules of Cr. Pro. Rule 704. A copy of this request has been filed with all parties pursuant to local rules.

THE DEFENDANT

BY: 

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